

**JOHN D. FINNERTY, PhD**

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Dr. Finnerty is Professor of Finance and the founding Director of the Master of Science in Quantitative Finance Program at Fordham University's Graduate School of Business Administration. He teaches corporate finance, investment banking, fixed income securities, fixed income portfolio management, and bankruptcy restructuring. He also specializes in business valuation, securities valuation, derivatives valuation, solvency analysis, calculation of damages, and litigation support for matters involving valuation disputes, securities fraud, solvency, fairness, breach of contract, breach of fiduciary duty, commercial disputes, and employment disputes involving the valuation of employee stock options. He has testified as an expert in valuation, broker raiding, and securities and other financial matters in federal and state court and in arbitration and mediation proceedings. He has also testified as an expert in bankruptcy court concerning the fairness of proposed plans of reorganization.

Dr. Finnerty has published fourteen books, including *Corporate Financial Management*, 4<sup>th</sup> ed., *Project Financing: Asset-Based Financial Engineering*, 2<sup>nd</sup> ed., *Principles of Financial Management*, and *Debt Management*, and more than 100 articles and professional papers in corporate finance, business and securities valuation, and other areas of finance. His writings and teaching have focused on the analysis and valuation of securities, especially fixed income instruments and complex derivative products, and mortgage-backed and other asset-backed securities. Dr. Finnerty is a former editor of *Financial Management*, one of the leading academic finance journals, a former editor of *FMA Online*, and a member of the editorial advisory boards of the *Journal of Portfolio Management* and the *International Journal of Portfolio Analysis & Management*.

Dr. Finnerty worked for more than 20 years as an investment banker. He worked on more than 50 public and private financings, and served as financial advisor in connection with several mergers and several project financings.

Dr. Finnerty is a Director of the Financial Management Association. He is also a Trustee and a former Chair of the Trustees and a former President and Director of the Eastern Finance Association, and a former President and Director of the Fixed Income Analysts Society. He served as a member of FASB's Option Valuation Group in connection with the revision of FAS 123. He was inducted into the *Fixed Income Analysts Society Hall of Fame* in 2011.

## EDUCATION

1977 Ph.D. in Operations Research, Naval Postgraduate School

1973 B.A. and M.A. in Economics, Cambridge University; Marshall Scholar

1971 A.B. in Mathematics, Williams College; magna cum laude with highest honors in Mathematics; Rice Prize in Mathematics; Phi Beta Kappa

## ACADEMIC EXPERIENCE

1987 - Present **Fordham University Graduate School of Business Administration, New York, NY**  
Professor of Finance and former Director of the Master of Science in Quantitative Finance Program. Received tenure in September 1991.  
Gladys and Henry Crown Award for Faculty Excellence, 1997.

1976 - 1977 **Naval Postgraduate School, Monterey, CA**  
Adjunct Professor, Department of Administrative Sciences

1973 - 1976 **United States Naval Reserve**  
Instructor, Naval Postgraduate School. Promoted to Lieutenant, USNR.

## BUSINESS EXPERIENCE

2003 – Present **Finnerty Economic Consulting, LLC, New York, NY**  
Managing Principal

2001 - 2003 **Analysis Group, Inc., New York, NY**  
Managing Principal

1997 - 2001 **PricewaterhouseCoopers, LLP, New York, NY**  
Partner, Financial Advisory Services Group  
Dispute Analysis & Investigations securities litigation practice

1995 - 1997 **Houlihan Lokey Howard & Zukin, New York, NY**  
Director

1989 - 1995 **McFarland Dewey & Co., New York, NY**  
General Partner

1986 - 1989 **College Savings Bank, Princeton, NJ**  
Executive Vice President, Chief Financial Officer, Treasurer, Secretary, and Director

1982 - 1986 **Lazard Frères & Company, New York, NY**  
Vice President, Corporate Finance Department

1977 - 1982

**Morgan Stanley & Co. Inc., New York, NY**  
Associate, Corporate Finance Department

## **PROFESSIONAL ASSOCIATIONS**

Chair of the Trustees, Eastern Finance Association (2009-2010), Trustee (2008-Present), President (2007-2008), and Director (2005-2008)

President, Fixed Income Analysts Society (2006-2007), and Director (2001-2009)

Director, Financial Management Association (1991-1999, 2005-2007, 2011-Present)

Editor, *Financial Management* (1993-1999)

Editor, *FMA Online* (2001-2010)

Associate Editor, *Journal of Derivatives Accounting* (2003-2005)

Associate Editor, *Journal of Applied Finance* (2000-2007)

Associate Editor, *Journal of Financial Engineering* (1992-1999)

Member, Editorial Advisory Boards, *The Financier* (1995-2003), *Journal of Portfolio Management* (1995-Present), and *International Journal of Portfolio Analysis & Management* (2011-Present)

## **OTHER ACTIVITIES**

Leadership Giving Co-Chair, Williams College Class of 1971

Co-chairman, New Jersey Special Gifts Program, Williams College Third Century Campaign

Member, Special Gifts Committee, New York City Area for Williams College Third Century Campaign

Vice Chairman, Williams College Class of 1971 25th Reunion Gift Committee

Trustee, Spring Lake Bath and Tennis Club, and Co-Chair, Finance Committee

## **AWARDS**

Marshall Scholar, 1971

Gladys and Henry Crown Award for Faculty Excellence, Fordham Business School, 1997

Best Investments Paper, Southern Finance Association, 2001

Best Corporate Finance Paper, Southern Finance Association, 2006

Bene Merenti Medal, Fordham University, 2007

Fixed Income Analysts Society Hall of Fame, 2011

## EXPERT TESTIMONY IN LAST FOUR YEARS

<i>Client</i>	<i>Case</i>	<i>Description of Testimony</i>
Satterlee Stephens Burke & Burke Law Offices of Lawrence S. Leibowitz	Baird, Patrick & Co. v. Maxcor Financial et al. NASD Arbitration Case No. 03-07325	Prepared an expert report concerning the lost profits damages in a broker raiding case. Testified at arbitration.
Kaplan & Levenson	McCabe, et al. v. Ernst & Young, LLP, et al. U.S. District Court for the District of New Jersey Case No. 01-CIV-5747(WHW)	Prepared an expert report and a rebuttal report concerning the damages experienced by selling shareholders in a post-merger dispute. Testified at deposition.
Weil, Gotshal & Manges	G-I Holdings, Inc. et al. v. Ruddles A. Bennett, Jr., et al. U.S. District Court for the District of New Jersey Adversary Proceeding No. 01-3066	Prepared two expert reports concerning the financial impact of a corporate restructuring. Testified at deposition.
Debevoise & Plimpton	WellPoint Health Networks Inc. and UNICARE Life & Health Insurance Company v. John Hancock Life Insurance Company Arbitration	Prepared an expert report concerning the financial impact of an acquisition. Testified at deposition and at arbitration.
Jones Day	MC Asset Recovery v. Southern Company U.S. District Court for the Northern District of Georgia, Atlanta Division Civil Action No. 1:06-CV-0417-BBM	Prepared an expert report concerning the satisfaction of the claims of the unsecured creditors in the bankruptcy of Mirant Corporation and testified at deposition.
Wollmuth Maher & Deutsch	State of Arkansas Teacher Retirement System v. Merrill Lynch, et al. District Court, 193rd Judicial District, Dallas County, Texas Cause No. 04-06699	Performed damages analysis and rendered opinions concerning the private placement agent's responsibilities and the due diligence process in connection with a securities fraud matter. Testified at deposition.
Labaton Sucharow & Rudoff	Richard A. Williamson v. PricewaterhouseCoopers, Supreme Court of the State of New York, Index No. 04-602106	Analyzed the mispricing of convertible securities and the auditor's failure to detect it. Testified at deposition.
Wollmuth Maher & Deutsch	AIG Annuity Insurance Company, et al. v. Sears, Roebuck and Co. District Court, 192nd Judicial District, Dallas County, Texas Cause No. 04-10471	Analyzed a corporate financial engineering transaction. Testified at deposition.

<b><i>Client</i></b>	<b><i>Case</i></b>	<b><i>Description of Testimony</i></b>
Riker Danzig Scherer Hyland Perretti	John M. Van Deventer et al. v. CS SCF Management Limited et al. Supreme Court of the State of New York Index No. 603151-03	Valued six businesses and calculated the break-up fees owing to an investment manager due to the early termination of a management contract. Testified at deposition and at trial.
Internal Revenue Service	Shell Petroleum v. United States of America U.S. District Court for the Southern District of Texas, Houston Division Index No. H-05-2016	Provided an expert report concerning auction preferred stock. Testified at deposition and at trial.
Air Line Pilots Association	ALPA and U.S. Airways Grievance No. MEC 05-07-01 (Investment Banking Fee)	Testified at an arbitration hearing regarding the customary investment banking fee for an investment bank working on an airline reorganization.
Sidley Austin	Jack E. Salmon, Jr. v. KPMG LLP et al. Arbitration	Prepared an expert report concerning lost-compensation damages. Testified at deposition and at arbitration.
Wolf Haldenstein Adler Freeman & Herz	Boyce v. Soundview Technology Group U.S. District Court for the Southern District of New York C.A. No. 03 CV 2159 (HB)	Prepared an expert report concerning damages in a breach of contract case. Testified at deposition and at trial.
Boies Schiller & Flexner	UBS Securities LLC and UBS Loan Finance LLC v. The Finish Line, Inc., and Genesco, Inc. U.S. District Court for the Southern District of New York C.A. No. 07 Civ. 10382 (LAP)	Performed a solvency analysis for a proposed leveraged acquisition. Testified at deposition.
Kirkland & Ellis	In Re: Calpine Corporation, et al. Calpine Corporation v. Rosetta Resources, Inc. U.S. District Court for the Southern District of New York Chapter 11 Case No. 05-60200 (BRL)	Performed a solvency analysis in connection with a fraudulent conveyance action. Testified at deposition.
Labaton Sucharow	In re American International Group, Inc. Securities Litigation U.S. District Court for the Southern District of New York Master File No. 04 Civ: 8141	Performed an analysis of stock and bond market efficiency in connection with lead plaintiff's motion for class certification. Testified at deposition and at trial.
U.S. Department of Justice	Taxpayer v. U.S. U.S. Court of Federal Claims Case No. 05-26T	Prepared an expert report analyzing the business purpose of short sale transactions. Testified at deposition.

<i>Client</i>	<i>Case</i>	<i>Description of Testimony</i>
Wilmer Cutler Pickering Hale and Dorr	Boston Company Asset Management v. Remi Browne et al. Superior Court Commonwealth of Massachusetts Civil Action No. 07-3656BLS2	Prepared an expert report calculating damages in a case alleging breach of fiduciary duty and breach of non-solicitation agreements. Testified at deposition.
Jaffe, Raitt, Heuer & Weiss	Oppenheimer v. Citigroup Global Markets et al. NASD Arbitration Case No. 03-02421	Prepared an expert report concerning the lost profits damages in a broker raiding case. Testified at arbitration.
Gibbons Connolly, Bove, Lodge & Hutz	Olson v. Halvorsen et al. Court of Chancery of the State of Delaware Civil Action No. 1884-N	Prepared an expert report, a rebuttal report, and a supplemental report concerning the value of a former partner's economic interests in a hedge fund management company under different damages theories. Testified at deposition and at trial.
Fisher & Phillips	RBC Dain Rauscher v. Stephens et al. NYSE Arbitration NYSE Docket No. 2004-016322	Prepared an expert report concerning the lost profits damages in a broker raiding case. Testified at arbitration.
Debevoise & Plimpton Potter Anderson & Corroon	In Re: Appraisal of Metromedia International Group, Inc. Court of Chancery of the State of Delaware Civil Action 3351-CC	Prepared an expert report and a rebuttal report concerning the fair value of an issue of convertible preferred stock for appraisal rights purposes. Testified at deposition and at trial.
Giffen & Kaminski	AmTrust Investment Services, Inc., et al. v. Charter One, et al. FINRA Arbitration Case No. 07-02012	Analyzed damages for alleged breach of contract and testified at arbitration.
Coughlin Stoia Geller Rudman & Robbins	Roth v. Aon Corporation et al. U.S. District Court for the Northern District of Illinois Case No. 04-C-6835	Prepared an expert report analyzing the efficiency of the market for the company's stock, providing an event-study analysis concerning loss causation, and calculating damages in connection with an alleged securities fraud. Testified at deposition.
Coughlin Stoia Geller Rudman & Robbins	Eric Silverman v. Motorola, Inc., et al. U.S. District Court for the Northern District of Illinois Case No. 1:07-cv-04507	Performed an event-study analysis concerning loss causation. Testified at deposition.
Carrington, Coleman, Sloman & Blumenthal	Balkrishna Shagrithaya v. Max Martin District Court of Dallas County, Texas, 162 <sup>nd</sup> Judicial District Case No. 07-15149	Performed an analysis of the reasonableness of a corporation's retained cash and marketable securities. Testified at deposition and at trial.
Hangley Aronchick Segal & Pudlin	Christopher P. Thalacker v. Gerald D. Hoak American Arbitration Association Case No. 13 148 02714 08	Prepared an expert report concerning hedge funds and the performance of the respondent's investment in the claimant's hedge fund. Testified at the arbitration hearing.

<i>Client</i>	<i>Case</i>	<i>Description of Testimony</i>
Labaton Sucharow	Richard A. Williamson, as Successor Liquidating Trustee, v. Kenneth Lipper FINRA Arbitration Case No. 08-03610	Prepared an expert report concerning the damages resulting from mismarking a convertible securities portfolio over several years in a matter involving hedge fund fraud. Testified at arbitration.
Morris, Manning & Martin	ING USA Annuity and Life et al. v. J.P. Morgan Securities et al. Superior Court of Fulton County, Georgia Civil Action No. 2007CV134590	Prepared an expert report and a rebuttal report concerning the adequacy of disclosure in private placement offering materials and quantifying the plaintiffs' damages. Testified at deposition.
Buchanan Ingersoll & Rooney	Wachovia Securities v. Frank J. Brand et al. FINRA Arbitration Case No. 08-01374	Prepared an expert report calculating damages in a broker raiding case. Testified at arbitration.
Saul Ewing	A.G. Edwards v. Theodore Sturges et al. FINRA Arbitration Case. No. 07-03166	Prepared an expert report calculating damages in a broker raiding case. Testified at arbitration.
Internal Revenue Service	Rawls Trading, LLP, et al. v. Commissioner of Internal Revenue United States Tax Court Dallas, TX Docket Nos. 12937-07, 12938-07, and 14880-07	Prepared an expert report and a rebuttal expert report concerning the reasonableness of profit expectation for a strategy involving the short sale of Treasury bonds. Testified at trial.
Kaye Scholer Hughes Hubbard & Reed	Adelphia Recovery Trust v. Bank of America et al. U.S. District Court for the Southern District of New York Case No. 05 Civ. 9050 (LMM) (RLE)	Prepared an expert report concerning the feasibility of performing solvency analyses and valuation analyses for Adelphia as of various dates based on the limited amount of information available. Testified at deposition.
Oppenheimer & Company	Koval v. Oppenheimer FINRA Arbitration Case No. 08-02468	Rendered expert testimony regarding the collapse of the market for auction rate securities. Testified at arbitration.
Robbins Geller Rudman & Dowd	City of Ann Arbor Employees' Retirement System v. Sonoco Products et al. U.S. District Court for the District of South Carolina Case No. 4:08-cv-02348-TLW-TER	Prepared an expert report analyzing the efficiency of the market for the company's stock and providing an event-study analysis of the significance of the stock price declines on the disclosure dates in connection with an alleged securities fraud. Testified at deposition.
Jones Day	Westminster Securities Corp. v. Petrocom Energy Limited et al. International Center for Dispute Resolution Arbitration Case No. 50 148 T 00420 08	Prepared an expert report describing the purpose of a tail provision in a private placement agent agreement and analyzing the tail provisions in three such agreements that were at issue. Testified at arbitration.

<i>Client</i>	<i>Case</i>	<i>Description of Testimony</i>
Robbins Geller Rudman & Dowd	City of Hialeah Employees' Retirement System et al. v. Toll Brothers, Inc., et al. U.S. District Court for the Eastern District of Pennsylvania Civil Action No. 07-1513 CLASS ACTION	Prepared an expert report analyzing the efficiency of the market for the company's stock and providing an event-study analysis of loss causation. Testified at deposition.
Moskowitz, Mandell, Salim & Simowitz Duane Morris	Trump Hotels & Casino Resorts Development Company, LLC v. Richard T. Fields, et al. Circuit Court of the 17 <sup>th</sup> Judicial District in and for Broward County, Florida Civil Division Case No. 0420291	Prepared an expert report concerning the financial capacity of a prospective casino developer to meet its business and financial obligations in connection with a set of casino projects. Testified at deposition.
Orrick, Herrington & Sutcliffe	Karat v. Credit Suisse JAMS Arbitration Reference No. 1425004715	Prepared an expert report valuing three items of annual bonus compensation and testified at arbitration.
Martin J. Auerbach, Esq. Cohen & Gresser	Enesco International v. Jefferies & Company FINRA Arbitration Case No. 09-05032	Testified at arbitration about the operation of the auction rate securities market and the factors that caused it to seize up in 2008.
Brune & Richard	MBIA Insurance v. Patriarch Partners VIII and JD Investments U.S. District Court for the Southern District of New York Case No. 09 Civ. 3255 (RWS)	Responded to an expert damages report in a breach of contract matter, which calculated damages based on the value of a class of subordinated notes.
Robbins Geller Rudman & Dowd	Eric Silverman v. Motorola, Inc., et al. U.S. District Court for the Northern District of Illinois Case No. 1:07-cv-04507	Prepared an expert report on loss causation and a rebuttal report in connection with a securities class action. Testified at deposition.
Stradley Ronon Stevens & Young	Warren Klein, et al., v. Oppenheimer & Co. Inc. U.S. District Court for the Eastern District of Pennsylvania Civil Action No. 2:10-CV-06743	Prepared an expert rebuttal report describing auction rate securities (ARS), the market for ARS, the events surrounding the collapse of the market for ARS in February 2008, and addressing the plaintiffs' alleged damages. Testified at deposition.
Abbey Spanier Rodd & Abrams	In Re IMAX Corporation Securities Litigation U.S. District Court for the Southern District of New York Case No. 06 Civ. 6128 (NRB)	Prepared an expert report on loss causation in connection with a securities class action. Testified at deposition.

<i>Client</i>	<i>Case</i>	<i>Description of Testimony</i>
Figari & Davenport	Hillwood Investment Properties, et al. v. Radical Mavericks Management, et al. District Court, 192 <sup>nd</sup> Judicial District, Dallas County, Texas Cause No. 10-05639	Assessed the solvency of a professional sports franchise. Testified at deposition.
Securities and Exchange Commission	Securities and Exchange Commission v. William Betta, Jr., et al. U.S. District Court for the Southern District of Florida Case No. 09-80803-Civ-MARRA/JOHNSON	Prepared an expert report describing the features and risk-return characteristics of various complex collateralized mortgage obligation classes and assessed their suitability for a set of investors. Testified at trial.
Robbins Geller Rudman & Dowd	In Re Par Pharmaceutical Securities Litigation U.S. District Court for the District of New Jersey Master File No. 2:06-cv-03226-PGS-ES	Prepared an expert report on market efficiency in connection with a securities class action. Testified at deposition.
Internal Revenue Service	The Markell Company, Inc. v. Commissioner of Internal Revenue United States Tax Court Houston, TX Docket No. 20551-08	Prepared an expert report and a rebuttal expert report concerning the reasonableness of profit expectation for a strategy involving a spread call option strategy. Testified at trial.

## PUBLICATIONS

### Books

1. John D. Finnerty, An Illustrated Guide to Bond Refunding Analysis. The Financial Analysts Research Foundation, Charlottesville, VA, 1984.
2. John D. Finnerty, Corporate Financial Analysis: A Comprehensive Guide to Real-World Approaches for Financial Managers. McGraw-Hill Book Company, New York, 1986.
  - a) Main Selection: Macmillan's The Executive Program
  - b) Alternate Selection: Prentice-Hall's Books for Accountants
3. John D. Finnerty, Andrew J. Kalotay, and Francis X. Farrell, Jr., The Financial Manager's Guide to Evaluating Bond Refunding Opportunities. Ballinger Publishing Company, Cambridge, MA, 1988.
4. Douglas R. Emery and John D. Finnerty, Principles of Finance with Corporate Applications. West, St. Paul, MN, 1991.
5. John D. Finnerty and Martin S. Fridson, eds., The Yearbook of Fixed Income Investing 1995. Irwin Professional Publishing, Chicago, 1996.
6. John D. Finnerty, Project Financing: Asset-Based Financial Engineering. John Wiley & Sons, New York, 1996.
7. Douglas R. Emery and John D. Finnerty, Corporate Financial Management. Prentice Hall, Upper Saddle River, NJ, 1997.
8. Douglas R. Emery, John D. Finnerty, and John D. Stowe, Principles of Financial Management. Prentice Hall, Upper Saddle River, NJ, 1998.
9. John D. Finnerty and Douglas R. Emery, Debt Management. Harvard Business School Press, Boston, 2001.
10. Douglas R. Emery, John D. Finnerty, and John D. Stowe, Corporate Financial Management, 2<sup>nd</sup> ed. Prentice Hall, Upper Saddle River, NJ, 2004.
11. Douglas R. Emery, John D. Finnerty, and John D. Stowe, Corporate Financial Management, 3<sup>rd</sup> ed. Prentice Hall, Upper Saddle River, NJ, 2007.
12. Douglas R. Emery, John D. Finnerty, and John D. Stowe, Corporate Financial Management, Int. ed. Prentice Hall, Upper Saddle River, NJ, 2007.
13. John D. Finnerty, Project Financing: Asset-Based Financial Engineering, 2<sup>nd</sup> ed. John Wiley & Sons, New York, 2007.

14. Douglas R. Emery, John D. Finnerty, and John D. Stowe, Corporate Financial Management, 4<sup>th</sup> ed. Wohl Publishing, Morristown, NJ, 2011.

### **Monographs**

1. John D. Finnerty, "The PricewaterhouseCoopers Credit Derivatives Primer," PricewaterhouseCoopers LLP, New York, 1998.
2. John D. Finnerty, "Structuring Derivative Instruments to Adjust Risk Exposure: The Arithmetic of Financial Instruments," PricewaterhouseCoopers LLP, New York, 1999.
3. John D. Finnerty, "A Comparison of Alternative Models for Valuing Employee Stock Options," Financial Executives Research Foundation, Florham Park, NJ, January 2003.

### **Papers Published in Refereed Journals**

1. John D. Finnerty, "How Often Will the Firemen Get Their Sleep?," Management Science (July 1977), pp. 1169-1173.
2. John D. Finnerty, "Real Money Balances and the Firm's Production Function," Journal of Money, Credit and Banking (November 1980), pp. 666-671.
3. John D. Finnerty, "The Behavior of Electric Utility Common Stock Prices Near the Ex-Dividend Date," Financial Management (Winter 1981), pp. 59-69.
4. John D. Finnerty, "The Stock Market's Reaction to the Switch from Flow-Through to Normalization," Financial Management (Winter 1982), pp. 36-47.
5. John D. Finnerty, "Evaluating the Economics of Refunding High-Coupon Sinking-Fund Debt," Financial Management (Spring 1983), pp. 5-10.
6. John D. Finnerty, "Bank Discount, Coupon Equivalent, and Compound Yields: Comment," Financial Management (Summer 1983), pp. 40-44.
7. John D. Finnerty, "Preferred Stock Refunding Analysis: Synthesis and Extension," Financial Management (Autumn 1984), pp. 22-28.
8. John D. Finnerty, "Stock-for-Debt Swaps and Shareholder Returns," Financial Management (Autumn 1985), pp. 5-17.
9. John D. Finnerty, "Zero Coupon Bond Arbitrage: An Illustration of the Regulatory Dialectic at Work," Financial Management (Winter 1985), pp. 13-17.
10. John D. Finnerty, "Refunding Discounted Debt: A Clarifying Analysis," Journal of Financial and Quantitative Analysis (March 1986), pp. 95-106.

11. John D. Finnerty, "A Visit with Alice in Moneyland," Journal of Corporate Finance (Spring 1987), pp. 46-47.
12. John D. Finnerty, "An Analytical Framework for Evaluating Securities Innovations," Journal of Corporate Finance (Winter 1987), pp. 3-18.
13. John D. Finnerty, "Capital Budgeting and CAPM: Choosing the Market Risk Premium," Journal of Corporate Finance (Winter 1988), pp. 11-14.
14. John D. Finnerty, "Financial Engineering in Corporate Finance: An Overview," Financial Management (Winter 1988), pp. 14-33. (Lead Article) Reprinted in Clifford W. Smith, Jr., and Charles W. Smithson, eds., The Handbook of Financial Engineering. Harper & Row, New York, 1990, ch. 3, and in Robert W. Kolb, ed., The Financial Derivatives Reader. Kolb, Miami, 1992, ch. 2.
15. John D. Finnerty, "New Issue Dividend Reinvestment Plans and the Cost of Equity Capital," Journal of Business Research (March 1989), pp. 127-139.
16. John D. Finnerty, "Measuring the Duration of a Floating-Rate Bond," Journal of Portfolio Management (Summer 1989), pp. 67-72. Reprinted in Sanjay K. Nawalkha and Donald R. Chambers, eds., Interest Rate Risk Measurement and Management. Institutional Investor Books, New York, 1999, ch. 32.
17. John D. Finnerty and Victor M. Borun, "An Analysis of Unbundled Stock Units," Global Finance Journal (Fall 1989), pp. 47-69.
18. John D. Finnerty and Michael Rose, "Arbitrage-Free Spread: A Consistent Measure of Relative Value," Journal of Portfolio Management (Spring 1991), pp. 65-77.
19. John D. Finnerty, "The Time Warner Rights Offerings: A Case Study in Financial Engineering," Journal of Financial Engineering (June 1992), pp. 38-61.
20. John D. Finnerty, "The Advance Refunding of Nonredeemable High-Coupon Corporate Debt Through In-Substance Defeasance," Journal of Financial Engineering (September 1992), pp. 150-173.
21. Douglas R. Emery and John D. Finnerty, "A Review of Recent Research Concerning Corporate Debt Provisions," Financial Markets, Institutions & Instruments (December 1992), pp. 23-39.
22. John D. Finnerty and Dean Leistikow, "College Tuition Prepayment Programs: Description, Investment Portfolio Composition, and Contract Pricing," Journal of the Midwest Finance Association (1992), pp. 165-174.

23. John D. Finnerty, "Comment: The Need to Enhance the Effectiveness of Discussants and Some Suggested Guidelines for Session Organizers and Discussants," Financial Practice and Education (Spring/Summer 1993), pp. 15-18.
24. John D. Finnerty and Dean Leistikow, "The Behavior of Equity and Debt Risk Premiums," Journal of Portfolio Management (Summer 1993), pp. 73-84.
25. John D. Finnerty, "Interpreting SIGNs," Financial Management (Summer 1993), pp. 34-47.
26. John D. Finnerty, "Indexed Sinking Fund Debentures: Valuation and Analysis," Financial Management (Summer 1993), pp. 76-93.
27. John D. Finnerty and Robert J. Kunze, "Arranging Financing for Biotechnology Ventures," Financier (May 1994), pp. 20-34.
28. John D. Finnerty, "Valuing Corporate Equity When Value Additivity May Not Hold: The Case of the Newhouse Estate Valuation," Financial Practice and Education (Spring/Summer 1994), pp. 107-115.
29. John D. Finnerty and Dean Leistikow, "The Behavior of Equity and Debt Risk Premiums": Reply to Comment, Journal of Portfolio Management (Summer 1994), pp. 101-102.
30. John D. Finnerty, "Range Floaters: Pricing a Bet on the Future Course of Short-Term Interest Rates," Financier (November 1994), pp. 20-27. Reprinted in John D. Finnerty and Martin S. Fridson, eds., The Yearbook of Fixed Income Investing 1995. Irwin Professional Publishing, Chicago, 1996, ch. 8.
31. John D. Finnerty, "Some Suggested Guidelines for Reviewers," Financial Practice and Education (Fall/Winter 1994), pp. 22-24.
32. John D. Finnerty, Iftekhar Hasan, and Yusif Simaan, "Designing an Efficient Investment Strategy for Hedging the Future Cost of a College Education," Journal of Investing (Spring 1996), pp. 47-58.
33. John D. Finnerty, "Credit Derivatives, Infrastructure Finance, and Emerging Market Risk," Financier (February 1996), pp. 64-75.
34. John D. Finnerty, "Adjusting the Binomial Model for Default Risk," Journal of Portfolio Management (Winter 1999), pp. 93-103.
35. John D. Finnerty, "The PricewaterhouseCoopers Credit Derivatives Primer: Total Return Swaps," Financier (vol. 7, 2000), pp. 66-77.
36. John D. Finnerty, "Premium Debt Swaps, Tax-Timing Arbitrage, and Debt Service Parity," Journal of Applied Finance (vol. 11, 2001), pp. 17-22.

37. John D. Finnerty and Mark S. Brown, "An Overview of Derivatives Litigation, 1994 to 2000," Fordham Journal of Corporate & Financial Law (vol.7, 2001), pp. 131-158.
38. John D. Finnerty and Dwight Grant, "Alternative Approaches to Testing Hedge Effectiveness under SFAS No. 133," Accounting Horizons (June 2002), pp. 95-108.
39. John D. Finnerty and Douglas R. Emery, "Corporate Securities Innovation: An Update," Journal of Applied Finance (Spring/Summer 2002), pp. 21-47.
40. John D. Finnerty, "Adjusting the Comparable-Company Method for Tax Differences when Valuing Privately Held "S" Corporations and LLCs," Journal of Applied Finance (Fall/Winter 2002), pp.15-30.
41. John D. Finnerty and Murray Grenville, "An Introduction to Credit Swaps," Financier (vol. 9, 2002), pp. 51-63.
42. John D. Finnerty and Murray Grenville, "An Introduction to Credit Spread Options," Financier (vol. 9, 2002), pp. 64-75.
43. John D. Finnerty and Dwight Grant, "Testing Hedge Effectiveness under SFAS 133," The CPA Journal (April 2003), pp. 40-47.
44. John D. Finnerty and George M. Pushner, "An Improved Two-Trader Model for Measuring Damages in Securities Fraud Class Actions," Stanford Journal of Law, Business & Finance (Spring 2003), pp. 213-263.
45. John D. Finnerty and Douglas R. Emery, "The Value of Corporate Control and the Comparable Company Method of Valuation," Financial Management (Spring 2004), pp. 91-99.
46. John D. Finnerty, "Exact Formulas for Pricing Bonds and Options When Interest Rate Diffusions Contain Jumps," Journal of Financial Research (Fall 2005), pp. 319-341.
47. John D. Finnerty, "Extending the Black-Scholes-Merton Model to Value Employee Stock Options," Journal of Applied Finance (Fall/Winter 2005), pp. 25-54.
48. John D. Finnerty, Michael J. McAllister, and Maureen M. Chakraborty, "Calculating Damages in Broker Raiding Cases," Stanford Journal of Law, Business & Finance (Spring 2006), pp. 261-297.
49. John D. Finnerty, "Using Contingent-Claims Analysis to Value Opportunities Lost Due to Moral Hazard Risk," Journal of Risk (Spring 2006), pp. 55-83.
50. John D. Finnerty and Gautam Goswami, "Determinants of the Settlement Amount in Securities Fraud Class Action Litigation," Hastings Business Law Journal (Summer 2006), pp. 453-486.

51. John D. Finnerty and Mary Kuan, "When the Insurance Regulators Sneeze, the Hybrid Market Can Catch a Cold," Journal of Insurance Regulation (Summer 2007), pp. 87-120.
52. John D. Finnerty, "A Closer Look at Correction for False Discovery Bias When Making Multiple Comparisons," Journal of Forensic Economics (December 2009), pp. 55-62.
53. John D. Finnerty, Jeffrey Turner, Jack Chen, and Rachael Park, "Regulatory Uncertainty and Financial Contagion: Evidence from the Hybrid Capital Securities Market," Financial Review (February 2011), pp. 1-42. (Lead Article)
54. John D. Finnerty and Kishlaya Pathak, "A Review of Recent Derivatives Litigation," Fordham Journal of Corporate & Financial Law (vol. 16, 2011), pp. 73-123.
55. John D. Finnerty, Jie Jiao, and An Yan, "Convertible Securities in Merger Transactions," Journal of Banking and Finance (January 2012), pp. 275-289.
56. John D. Finnerty, "The Impact of Stock Transfer Restrictions on the Private Placement Discount," Financial Management, forthcoming.

### **Other Papers and Articles**

1. John D. Finnerty, "A Closer Look at Preferred Stock Financing," Public Utilities Fortnightly (November 6, 1980), pp. 41-43.
2. John D. Finnerty, "Evaluating a Stock-for-Debt Swap: The Proper Framework," Public Utilities Fortnightly (August 5, 1982), pp. 27-32.
3. John D. Finnerty, "How to Lower the Cost of Floating a New Stock Issue," Public Utilities Fortnightly (March 17, 1983), pp. 25-29.
4. John D. Finnerty, "The Pluses of Zeros," Euromoney (May 1985), p. 67.
5. John D. Finnerty, "Refunding High-Coupon Debt," Midland Corporate Finance Journal (Winter 1986), pp. 59-74.
6. John D. Finnerty, "The Case for Issuing Synthetic Convertible Bonds," Midland Corporate Finance Journal (Fall 1986), pp. 73-82. Reprinted in Clifford W. Smith, Jr., and Charles W. Smithson, eds., The Handbook of Financial Engineering. Harper & Row, New York, 1990, ch. 21.
7. John D. Finnerty, "Where is the Value Added in Securities Innovation," in John Thackray, ed., Chief Financial Officer USA 1987, SPL Associates Limited, London, 1987, pp. 202-205.
8. John D. Finnerty, "An Analysis of Tuition Prepayment Plans," in Proceedings of the Invitational Conference on College Prepayment and Savings Plans. College Entrance Examination Board, New York, 1988, pp. 25-31.

9. John D. Finnerty, "A Private Solution to a Public Problem: A Response from the Private Sector to the College Saving Crisis," in Tax Incentives for Education. United States Senate Committee on Finance, Washington, D.C., March 15, 1988, pp. 194-204.
10. John D. Finnerty, "How to Cope with Rising College Costs," Tax Management Financial Planning Journal (May 31, 1988), pp. 224-228.
11. John D. Finnerty, "Measuring the Risk Premium on the Market Portfolio," in Frank J. Fabozzi, ed., The Institutional Investor Focus on Investment Management. Ballinger, Cambridge, MA, 1989, pp. 161-167.
12. John D. Finnerty, "Measuring the Duration of Floating-Rate Debt Instruments," in Frank J. Fabozzi, ed., Advances & Innovations in the Bond and Mortgage Markets. Probus, Chicago, 1989, pp. 77-96.
13. John D. Finnerty and Herbert S. Adler, "Make Securities Innovation Work to Your Advantage," Butterworths Journal of International Banking and Financial Law (February 1992), pp. 64-67.
14. John D. Finnerty, "An Overview of Corporate Securities Innovation," Journal of Applied Corporate Finance (Winter 1992), pp. 23-39. Reprinted in Donald H. Chew, Jr., ed., The New Corporate Finance: Where Theory Meets Practice. McGraw-Hill, New York, 1993, pp. 212-228, and in Raymond H. Rupert, ed., The New Era of Investment Banking. Probus, Chicago, 1993, ch. 16.
15. John D. Finnerty, "Financial Engineering," in the New Palgrave Dictionary of Money and Finance, vol. 2. Macmillan, London, 1992, pp. 56-63.
16. John D. Finnerty, "Structures and Contracts which Reallocate Risk," in proceedings of the conference on Structured Finance: Design, Engineering & Production. Euromoney, Brussels, June 4-5, 1992, pp. 75-96.
17. John D. Finnerty, "Sources of Value Added from Structuring Asset-Backed Securities to Reduce or Reallocate Risk," in Charles Stone, Anne Zissu, and Jess Lederman, eds., The Global Asset Backed Securities Market. Probus, Chicago, 1993, ch. 3.
18. John D. Finnerty, Burton L. Raimi, and Neil R. Crowley, "Designing Securities to Qualify as Capital for Bank Regulatory Purposes," in Charles A . Stone and Anne Zissu, eds., Global Risk Based Capital Regulations: Management and Funding Strategies. Irwin Professional Publishing, Burr Ridge, IL, 1994, ch. 8.
19. Douglas R. Emery and John D. Finnerty, "Using a PERCS-for-Common Exchange Offer to Reduce the Costs of a Dividend Cut," Journal of Applied Corporate Finance (Winter 1995), pp. 77-89.

20. John D. Finnerty, "Financial Engineering as a Solution to Interest-Rate Risk Management Challenges," in Anthony G. Cornyn, Robert A. Klein, and Jess Lederman, eds., Controlling & Managing Interest-Rate Risk. New York Institute of Finance, New York, 1997, ch. 17.
21. John D. Finnerty, "Russian Settlements Will Put Credit Derivatives to the Test," American Banker (December 4, 1998), p. 21.
22. John D. Finnerty, "Will Credit Derivatives Survive the Stress Test?" Solutions (Winter 1999), pp. 5, 8.
23. Keith R. Ugone and John D. Finnerty, "Measuring Damages in Securities Fraud Class Action Lawsuits," CD-ROM accompanying Michael R. Young, ed., Accounting Irregularities and Financial Fraud. Harcourt Professional Publishing, New York, 2000.
24. Douglas R. Emery and John D. Finnerty, "Capital Investments," in Burton S. Kaliski, ed., Encyclopedia of Business and Finance, vol. 1. Macmillan, New York, 2001, pp. 81-85.
25. John D. Finnerty, "Securitizing Political Risk Investment Insurance: Lessons from Past Securitizations," in Theodore H. Moran, ed., International Political Risk Management: Exploring New Frontiers. World Bank, Washington, DC, 2001, pp. 77-147.
26. John D. Finnerty and Dwight Grant, "How to Test Hedge Effectiveness Under FAS 133," Estratégica (April/June 2001), pp. 8-16.
27. John D. Finnerty, "Debt Innovative," Fordham Business Magazine (Spring/Summer 2001), pp. 24-25.
28. Robert Sidorsky and John D. Finnerty, "Standing to Sue Under Rule 10b-5: A Fresh Look at the New Investment Doctrine," Securities Regulation Law Journal (Summer 2001), pp. 113-198.
29. John M. Althoff and John D. Finnerty, "Testing Hedge Effectiveness," in Henry A. Davis, ed., FAS 133 and the New Derivatives Accounting Landscape. Institutional Investor, New York, Fall 2001, pp. 44-51.
30. John D. Finnerty and George M. Pushner, "Meeting the New Standard for 10b-5 Class Action Damage Calculations," Analysis Group/Economics Issue Brief, 2002.
31. John D. Finnerty and Heidi Donoghue, "The Trend in Corporate Financial Disclosure," in Esmeralda O. Lyn and George J. Papaioannou, eds., Financial Services in the Evolving Global Marketplace. Hofstra University Press, New York, 2002, pp. 192-209.
32. John D. Finnerty, "How Companies Account for the Cost of Options," Wall Street Journal, October 10, 2002, p. A15.

33. John D. Finnerty and George M. Pushner, "Rule 10b-5 vs. Section 11 Securities Fraud Class-Action Damages," Analysis Group/Economics Issue Brief, 2002.
34. John D. Finnerty, "Damages Estimation After Natural Disasters," in Jack P. Friedman, ed., Litigation Support Report Writing for Accounting, Finance, and Economic Issues. Wiley, New York, 2003.
35. John D. Finnerty, "Valuing Employee Stock Options: A Comparison of Alternative Models," FMA Online (Summer 2003).
36. John D. Finnerty, "Calculating Damages in Broker Raiding Cases," in John Siegal, Protecting Corporate IP Assets: Enforcing Restrictive Covenants in the Employment Context. Practising Law Institute, New York, 2005, pp. 111-145.
37. John D. Finnerty, "The Valuation of Venture Capital Convertible Preferred Stock When Equity Claims Are Nested," Journal of Private Equity (Winter 2008), pp. 1-20.
38. John D. Finnerty, "Securities Innovation," in Frank J. Fabozzi, ed. Handbook of Finance, vol. I. Wiley, Hoboken, NJ, 2008, pp. 61-92.
39. John D. Finnerty, "Real Options," in Frank J. Fabozzi, ed., Handbook of Finance, vol. II. Wiley, Hoboken, NJ, 2008, pp. 697-713.
40. John D. Finnerty, "Project Financing," in Hossein Bidgoli, ed. Handbook of Technology Management, vol. I. Wiley, Hoboken, NJ, 2010, pp. 601-612.
41. John D. Finnerty and Peter G. Wollmeringer, "Valuation: Application and Methodologies," in Patricia A. Etzold and Matthew J. Shelhorse, Pocket MBA: Finance for Lawyers July 2010. Practising Law Institute, New York, 2010, pp. 301-358.
42. John D. Finnerty, "Effective Use of Discovery in Cases Involving Wealthy and Sophisticated Investors," PIABA 19<sup>th</sup> Annual Meeting Proceedings, Ponte Vedra, FL, 2010, pp. 73-79.
43. John D. Finnerty and Rachael Park, "Designing Derivatives Structures," in Jonathan Denton, ed. Practical Derivatives: A Transactional Approach, 2<sup>nd</sup> ed. Globe Business Publishing, London, 2010, pp. 109-125.
44. John D. Finnerty and Jeffrey S. Turner, "Valuation Examples," in Kirsten S. Aunapu, Eric B. Sloan, Patricia A. Etzold, and Matthew J. Shelhorse, Pocket MBA: Finance for Lawyers Summer 2011, Practising Law Institute, New York, 2011, pp. 491-500.
45. John D. Finnerty and Jeffrey S. Turner, "Valuation: Application and Methodologies (Presentation Slides)," in Kirsten S. Aunapu, Eric B. Sloan, Patricia A. Etzold, and Matthew J. Shelhorse, Pocket MBA: Finance for Lawyers Summer 2011, Practising Law Institute, New York, 2011, pp. 503-573.

46. John D. Finnerty and Rachael Park, "Structured Notes and Credit-Linked Notes," in Frank Fabozzi, ed., The Handbook of Fixed Income Securities, 8<sup>th</sup> ed., McGraw-Hill, New York, 2012, chapter 15.

**Patents**

1. Peter A. Roberts, John D. Finnerty, and Hamish W. M. Norton, "Methods and Apparatus for Restructuring Debt Obligations," United States Patent Number 4,648,038, March 3, 1987.
2. Peter A. Roberts, John D. Finnerty, and Hamish W. M. Norton, "Methods and Apparatus for Restructuring Debt Obligations," United States Patent Number 4,739,478, April 19, 1988.
3. Peter A. Roberts and John D. Finnerty, "Methods and Apparatus for Funding a Future Liability of Uncertain Cost," United States Patent Number 4,752,877, June 21, 1988.
4. Peter A. Roberts and John D. Finnerty, "Methods and Apparatus for Insuring the Funding of a Future Liability of Uncertain Cost," United States Patent Number 4,839,804, June 13, 1989.